IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ON APPEAL TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

APPELLANTS:	Andreas Gustafsson
APPLICATION NO.:	10/608,724
CONF. NO.:	6930
TITLE:	Systems and Methods of Providing DNS Services Using Separate Answer and Referral Caches
FILING DATE:	June 26, 2003
EXAMINER:	Hetul B. Patel
ART UNIT:	2186
ATTY. DKT. NO:	PA2271US
CUSTOMER NO.:	22830

MAIL STOP APPEAL BRIEF—PATENTS
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REPLY BRIEF UNDER 37 C.F.R. § 41.41

Sir:

This reply brief is submitted in response to, and within two months of, the Examiner's Answer to Appeal Brief mailed from the U.S. Patent Office on December 10, 2007.

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REMARKS

Appellant provides the following rebuttal to Section 10 of the Examiner's Answer to Appeal Brief, "Response to Argument."

In the Examiner's Answer, the Examiner asserts that "as claim 1 is an apparatus, the type of data stored in the answer cache is not and can not be claimed, as it is non-functional descriptive material." (Page 11). However, this misses the point because the type of data stored in the answer cache is not what is being claimed in claim 1. Instead, claim 1 is directed to how an answer cache is configured, namely, to be able to access a particular type of data through a particular type of data structure.

More specifically, claim 1 recites, "an answer cache configured to access answer information through a flat data structure." This claim language is clear that rather than claiming the type of data being stored in the answer cache, claim 1 instead claims an apparatus (an answer cache) that is configured to access a particular type of data (answer information) through a particular data structure (a flat data structure). Therefore, the answer cache is an apparatus having the functional aspect of being "configured to access answer information through a flat data structure" and, as such, can be and is properly claimed.

The Examiner also states seeing no basis for Appellant's assertion "as to what one of ordinary skills [sic] in the art would 'expect' to be 'answer information'." (Page 11). The Appellant traverses and identifies and submits a number of bases regarding what one of ordinary skill in the art would understand to be "answer information."

First, the Appellant refers to paragraph [0022] of the specification as filed which states, "[t]he answer cache is configured to store answer information such as domain names and associated IP addresses." As such, the specification itself clearly identifies examples of what is meant by the term "answer information," namely, "domain names and associated IP addresses."

Second, an "answer" in the Domain Name System (DNS) is well known in the art. For example, "[w]hen a request comes in, the name server . . . can answer the request

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with an IP address because it already knows the IP address for the domain." HowStuffWorks, "How Domain Name Servers Work," *at* http://computer.howstuffworks.com/dns2.htm. This is because, in order to answer requests for an IP address associated with a domain name, the name server stores domain names and their associated IP addresses, as is known in the art. Thus, the IP address for an associated domain name is the "answer information" given by a name server in response to a request.

Also, the term "Domain Name System" is defined in the art as, "[o]ver the Internet, a system which translates a domain name . . . into an IP address . . . . The DNS maintains a database which correlates domain names with the appropriate IP addresses." Steven M. Kaplan, *Wiley Electrical and Electronics Dictionary* 206 (2004) ("DNS"). Because the purpose of the Domain Name System is to translate a domain name into an IP address, the information stored by the DNS is known to include domain names and IP addresses. Domain names and IP addresses, which are clearly known to those skilled in the art, are specifically identified in the specification as filed as examples of "answer information."

Further, as is known in the art, "[t]he most basic task of DNS is to translate hostnames [domain names] to IP addresses." Wikipedia, *Domain Name System*, *at* http://en.wikipedia.org/wiki/Domain_name_system. Because DNS is used to translate hostnames into IP addresses, in order to answer a query, the caching server is understood to be configured to access information that includes domain names and IP addresses, which again are included as examples of "answer information" in the specification as filed.

In sum, and contrary to the Examiner's assertion, a sufficient basis "as to what one of ordinary skill in the art would 'expect' to be 'answer information'" has been provided.

With regard to the Examiner's responses to the Appellant's remaining arguments, the Appellant refers to the Appeal Brief filed on November 9, 2007.

Appellant believes no fee is due with this submission. If a fee is due, however, the Commissioner is hereby authorized to charge any necessary fee to Account Number 06-0600. A copy of this statement is submitted in duplicate for this purpose.

CONCLUSION

In view of the above, the Appellant requests that the Board of Patent Appeals and Interferences overrule the Examiner's rejection of claims 1-9 and 11-43 as being unpatentable under 35 U.S.C. § 103(a) over <u>Fletcher</u> in view of <u>Vishin</u> and of claim 10 over <u>Fletcher</u> in view of <u>Vishin</u>, further in view of <u>Ramanathan</u>.

Respectfully submitted,
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February 11, 2008   By: _____
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